



Billing Code 3410-10

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

WTO Agricultural Safeguard Trigger Levels

AGENCY: Foreign Agricultural Service, U.S. Department of Agriculture

ACTION: Notice of product coverage and trigger levels for safeguard measures provided for in the World Trade Organization (WTO) Agreement on Agriculture.

SUMMARY: This notice lists the updated quantity trigger levels for products which may be subject to additional import duties under the safeguard provisions of the WTO Agreement on Agriculture. This notice also includes the relevant period applicable for the trigger levels on each of the listed products.

DATE: *Effective Date:* [INSERT THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Safeguard Staff, Import Policies and Export Reporting Division, Office of Trade Programs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1021, 1400 Independence Avenue, SW., Washington, DC 20250-1021; or by telephone at (202) 720-0638, or by email at itspd@fas.usda.gov.

SUPPLEMENTARY INFORMATION: Article 5 of the WTO Agreement on Agriculture provides that additional import duties may be imposed on imports of products subject to tariffication as a result of the Uruguay Round, if certain conditions are met. The agreement permits additional duties to be charged if the price of an individual shipment of imported products falls below the average price

for similar goods imported during the years 1986-88 by a specified percentage. It also permits additional duties to be imposed if the volume of imports of an article exceeds the average of the most recent 3 years for which data are available by 5, 10, or 25 percent, depending on the article. These additional duties may not be imposed on quantities for which minimum or current access commitments were made during the Uruguay Round negotiations, and only one type of safeguard, price or quantity, may be applied at any given time to an article.

Section 405 of the Uruguay Round Agreements Act requires that the President cause to be published in the **Federal Register** information regarding the price and quantity safeguards, including the quantity trigger levels, which must be updated annually based upon import levels during the most recent 3 years. The President delegated this duty to the Secretary of Agriculture in Presidential Proclamation No. 6763, dated December 23, 1994, 60 FR 1005 (Jan. 4, 1995). The Secretary of Agriculture further delegated this duty, which lies with the Administrator of the Foreign Agricultural Service (7 CFR 2.43 (a)(2)). The Annex to this notice contains the updated quantity trigger levels.

Additional information on the products subject to safeguards and the additional duties which may apply can be found in subchapter IV of Chapter 99 of the Harmonized Tariff Schedule of the United States (2012) and in the Secretary of Agriculture's Notice of Uruguay Round Agricultural Safeguard Trigger Levels, published in the **Federal Register** at 60 FR 427 (Jan. 4, 1995).

Notice: As provided in Section 405 of the Uruguay Round Agreements Act, consistent with Article 5 of the Agreement on Agriculture, the safeguard quantity trigger levels previously notified are superceded by the levels indicated in the Annex to this notice. The definitions of these products were provided in the Notice of Safeguard Action published in the **Federal Register**, at 60 FR 427 (Jan. 4, 1995).

Issued at Washington, DC this _15th___day of May, 2012.

Suzanne E. Heinen
Administrator
Foreign Agricultural Service.

ANNEX

QUANTITY-BASED SAFEGUARD TRIGGER		
Product	Trigger level	Period
Beef	242,780 mt	January 1, 2011 to December 31, 2011
Mutton	5,576 mt	January 1, 2011 to December 31, 2011
Cream	867,562 liters	January 1, 2011 to December 31, 2011
Evaporated or Condensed Milk	2,262,128 kilograms	January 1, 2011 to December 31, 2011
Nonfat Dry Milk	327,518 kilograms	January 1, 2011 to December 31, 2011
Dried Whole Milk	2,135,595 kilograms	January 1, 2011 to December 31, 2011
Dried Cream	21,166 kilograms	January 1, 2011 to December 31, 2011
Dried Whey/Buttermilk	18,594 kilograms	January 1, 2011 to December 31, 2011
Butter	6,188,045 kilograms	January 1, 2011 to December 31, 2011
Butter Oil and Butter Substitutes	6,441,469 kilograms	January 1, 2011 to December 31, 2011
Dairy Mixtures	30,574,663 kilograms	January 1, 2011 to December 31, 2011
Blue Cheese	4,530,512 kilograms	January 1, 2011 to December 31, 2011
Cheddar Cheese	9,824,536 kilograms	January 1, 2011 to December 31, 2011
American-Type Cheese	4,978,590 kilograms	January 1, 2011 to December 31, 2011
Edam/Gouda Cheese	6,388,906 kilograms	January 1, 2011 to December 31, 2011
Italian-Type Cheese	21,718,995 kilograms	January 1, 2011 to December 31, 2011
Swiss Cheese with Eye Formation	26,060,155 kilograms	January 1, 2011 to December 31, 2011
Gruyere Process Cheese	3,411,433 kilograms	January 1, 2011 to December 31, 2011
Lowfat Cheese	448,925 kilograms	January 1, 2011 to December 31, 2011
NSPF Cheese	41,636,693 kilograms	January 1, 2011 to December 31, 2011
Peanuts	18,176 mt	April 1, 2010 to March 31, 2011
	19,279 mt	April 1, 2011 to March 31, 2012
Peanut Butter/Paste	4,493 mt	January 1, 2011 to December 31, 2011
Raw Cane Sugar	1,142,815 mt	October 1, 2010 to September 30, 2011
	1,278,131 mt	October 1, 2011 to September 30, 2012
Refined Sugar and Syrups	176,800 mt	October 1, 2010 to September 30, 2011
	203,088 mt	October 1, 2011 to September 30, 2012

QUANTITY-BASED SAFEGUARD TRIGGER		
Product	Trigger level	Period
Blended Syrups	134 mt	October 1, 2010 to September 30, 2011
	192 mt	October 1, 2011 to September 30, 2012
Articles Over 65% Sugar	277 mt	October 1, 2010 to September 30, 2011
	247 mt	October 1, 2011 to September 30, 2012
Articles Over 10% Sugar	15,083 mt	October 1, 2010 to September 30, 2011
	16,434 mt	October 1, 2011 to September 30, 2012
Sweetened Cocoa Powder	1,054 mt	October 1, 2010 to September 30, 2011
	700 mt	October 1, 2011 to September 30, 2012
Chocolate Crumb	8,051,334 kilograms	January 1, 2011 to December 31, 2011
Lowfat Chocolate Crumb	211,289 kilograms	January 1, 2011 to December 31, 2011
Infant Formula Containing Oligosaccharides	582,933 kilograms	January 1, 2011 to December 31, 2011
Mixes and Doughs	383 mt	October 1, 2010 to September 30, 2011
	286 mt	October 1, 2011 to September 30, 2012
Mixed Condiments and Seasonings	280 mt	October 1, 2010 to September 30, 2011
	432 mt	October 1, 2011 to September 30, 2012
Ice Cream	2,309,155 liters	January 1, 2011 to December 31, 2011
Animal Feed Containing Milk	39,223 kilograms	January 1, 2011 to December 31, 2011
Short Staple Cotton	591,350 kilograms	September 20, 2010 to September 19, 2011
	30,605 kilograms	September 20, 2011 to September 19, 2012
Harsh or Rough Cotton	0 kilograms	August 1, 2010 to July 31, 2011
	60 kilograms	August 1, 2011 to July 31, 2012
Medium Staple Cotton	149,148 kilograms	August 1, 2010 to July 31, 2011
	51,298 kilograms	August 1, 2011 to July 31, 2012
Extra Long Staple Cotton	2,017,042 kilograms	August 1, 2010 to July 31, 2011
	1,007,631 kilograms	August 1, 2011 to July 31, 2012
Cotton Waste	432,133 kilograms	September 20, 2010 to September 19, 2011
	595,320 kilograms	September 20, 2011 to September 19, 2012
Cotton, Processed, Not Spun	31,338 kilograms	September 11, 2010 to September 10, 2011
	75,787 kilograms	September 11, 2011 to September 10, 2012

